

## **REMARKS**

### **Claim Status**

Claims 1-27 are pending in the application. This paper does not amend, add, or cancel any of the claims. Claims 1, 17, and 22 are the independent claims of the application. Claims 1-14, 17-25, and 27 stand rejected. Claims 15, 16, and 26 are objected to as being dependent upon rejected base claims. Applicant gratefully acknowledges the notification of allowable subject matter in claims 15, 16, and 26.

### **Drawing Amendment**

The Examiner objected to Figs. 1 and 3. The drawings have been revised accordingly and attached herewith. Applicant believes that the objection to the drawings is obviated by the drawing revisions.

### **Art Rejections**

The Office Action rejected claims 1-14, 17-25, and 27 under 35 U.S.C. § 103(a) as being unpatentable over Schneider *et al.*, U.S. Patent Number 4,856,072 (hereinafter “Schneider”) in view of Antico *et al.*, U.S. Patent Publication Number 2004/0100396 (hereinafter “Antico”). Applicant respectfully traverses these rejections and requests reconsideration and allowance of all pending claims for the reasons discussed below.

*Independent Claim 1*

In rejecting independent claim 1, the Office Action acknowledges that Schneider “does not specifically mention the light indicator to flashing sequences as claimed by the applicant.” Applicant understands this statement to mean that Schneider is deficient with respect to teaching the indicator light interface circuit limitation of claim 1. Applicant concurs. The Office Action seeks to combine Antico with Schneider to overcome the admitted deficiency in Schneider’s disclosure. Applicant traverses the Examiner’s rejection of claim 1 for at least the following reasons.

Antico teaches a “system for synchronisation of multiple markers (12,13,14) in a geographical location or waterway (16). Synchronisation is achieved by periodically re-synchronising each marker (12,13,14) to a common reference signal. . . . The markers (12,13,14) are also remotely monitored to indicate the status [which includes *inter alia*] the correct or incorrect flashing of the light.” Antico, the Abstract. The markers are “[c]hannel markers, buoys or lighthouses.” Antico, numbered paragraph [0002]. In contrast to the field of navigational aides, the field of endeavor of the present invention is that of security systems. Only references from the field of the endeavor and “arts reasonably pertinent” to that of the claimed invention may comprise prior art to the invention. *In re Wood*, 599 F.2d 1032, 202 U.S.P.Q. 171, 174 (C.C.P.A. 1979).

“A reference is reasonably pertinent if . . . it is one which, because of the matter with which it deals, logically would have commended itself to the inventor’s attention in considering his problem. . . . If a reference disclosure has the same purpose as the claimed invention, the reference relates to the same problem. . . . [I]f it is directed to a different purpose, the inventor would accordingly have had less motivation or occasion to consider it.” *In re Clay*, 966 F.2d 656, 23 U.S.P.Q.2d 1058, 1060-1061 (Fed. Cir. 1992). The teachings of Antico relating to navigational aides are in a different field

of endeavor from the present invention. Furthermore, the teachings of Antico are not reasonably pertinent to the particular problem solved by the present invention. The use of Antico is therefore improper and fails under 35 U.S.C. § 103(a) against the claims of the present application.

Before prior art references can be combined or modified, there must be some suggestion or motivation found in the art to make the combination or modification. MPEP § 2143. “It is insufficient to establish obviousness that the separate elements of the invention existed in the prior art, absent some teaching or suggestion, in the prior art, to combine the elements.” *Arkie Lures, Inc. v. Gene Larew Tackle, Inc.*, 119 F.3d 953, 957, 43 U.S.P.Q.2d 1294 (Fed. Cir. 1997). The Office Action asserts that “it would have been obvious to one having ordinary skill in the art to employ the teaching of Antico in the system of Schneider for providing more noticed signal as continuous series of flashing signal to the driver operator.” Office Action, at page 3 (emphasis added). The Office Action neither points to any particular source teaching the desirability of “providing more noticed signal” in a security system nor takes Official Notice of this fact. It should be noted that Antico cannot be used for this purpose, because the lights disclosed therein relate to navigational markers, not to security system indicators. Therefore, it appears that the present record contains only one source of teaching of desirability of “providing more noticed signal” in a security system – Applicant’s disclosure. *See* the Specification, at numbered paragraphs [0005] and [0006]. This source, however, cannot be used to make a *prima facie* case of obviousness, because the motivation or suggestion to combine “must be founded in the prior art, not in the Applicant’s disclosure.” *In re Vaeck*, 947 F.2d 488, 493 (Fed. Cir. 1991).

Here, the references do not contain any suggestion to combine or modify their teachings as asserted in the Office Action. Therefore, the combination of Schneider with Antico is improper. If

the rejection of claim 1 is maintained, Applicant respectfully requests that the next Office action identify where in the cited prior art such suggestion or motivation can be found.

Even if there were some suggestion or motivation to make the proposed combination or modification with a reasonable expectation of success, the proposed combination or modification cannot render the claimed invention obvious if the combination or modification does not teach or suggest each claim limitation. MPEP § 2143. All claim limitations are significant, and must be given weight in determining patentability of the claims. *Application of Saether*, 492 F.2d 849, 852 (C.C.P.A. 1974). If even a single claim limitation is not taught or suggested by the prior art, then that claim cannot be obvious over the prior art. *Application of Glass*, 472 F.2d 1388, 1392 (C.C.P.A. 1973). As explained below, the combination of Antico and Schneider fails to teach or suggest all of the limitations in claim 1.

Claim 1 recites “a processing component coupled to the interface circuit and to the sound generating component to receive the first signal and cause the sound generating component to generate speech announcements in response to flashing sequences of ON and OFF states of the indicator light.” The processing component thus receives the first signal, and causes the sound generating component to generate announcements. Note that the first signal is provided by the indicator light interface circuit, and “is responsive to the states of the indicator light.” Thus, the processing component causes generation of the announcements in response to the signal provided by the indicator light interface circuit. As noted above, the Office Action acknowledges that Schneider does not disclose the indicator light interface circuit. It appears logically impossible for this reference to teach a processing component that acts in response to a signal generated by an element that the reference admittedly does not disclose.

Therefore, Schneider does not disclose a processing component as recited in claim 1. The undersigned attorney has reviewed Antico but has not been able to identify the processing component as recited in claims 1. The references of record therefore fail to disclose or suggest all the elements/limitations recited in claim 1, and fail to render this claim obvious.

*Independent Claims 17 and 22*

Independent claims 17 and 22 recite limitations similar to those discussed above in relation to claim 1, and should be patentable over the references for the same reasons as claim 1.

*Dependent Claims*

With regard to claims 3 and 4, and the specifics of the “indicator light interface circuit” recited therein, Schneider and Antico fail to teach or suggest a comparator (claim 3) or an optoelectronic component (claim 4).

It appears that the Office Action analogizes the function of the comparator of claim 3 to comparing voice templates as disclosed in Schneider. The comparator of claim 3 operates on a signal, not on a voice template. Furthermore, the comparator of claim 3 compares the signal to a threshold. In contrast, Schneider discloses comparisons between voice templates. It follows that Schneider does not teach a comparator recited in claim 3.

There appears to be no mention in Schneider or in Antico of an optoelectronic component optically coupled to the indicator light to sense the state of the indicator light, as recited in claim 4.

With regard to claim 5, it appears that neither Schneider nor Antico discloses or suggests suppressing a first speech announcement that follows a second speech announcement within a first

predetermined time period if the first speech announcement is identical to the second speech announcement, as recited in this claim.

With regard to claims 10, 19, 24, and 25, it appears that neither Schneider nor Antico discloses or suggests storing speech synthesis segments in compressed form, or uncompressing data before sending the data to a DAC for driving a speaker.

With regard to claim 13, the claim recites “means for learning sets of attributes of the flashing sequences and the announcements corresponding to the sets of attributes.” The Office Action has failed to provide a citation to Schneider and Antico that can be identified as teaching or suggesting all these additional limitations of claim 13. As far as is understood, although the Office Action has cited elements within Schneider, it has done so without sufficient particularity as to how they relate to all the elements of the claimed invention. As stated above, all claim limitations are significant, and must be given weight in determining patentability of the claims. It appears that the references do not teach or suggest the additional limitations recited in this claim.

With regard to claim 20, the claim recites “a microphone coupled to the processor so that the processor is capable of sensing microphone signals generated by the microphone in response to sound, wherein the processor is capable of obtaining speech synthesis segment data corresponding to the announcements by prompting a user of the security system to cause the security system to generate flashing of the indicator light, prompting the user to speak the announcements into the microphone, and recording the microphone signals generated in response to the user speaking the announcements.” The Office Action has failed to provide a citation to Schneider and Antico that can be identified as teaching or suggesting all the limitations of claim 20. It appears that the references do not teach or suggest the additional limitations recited in this claim.

At least for these reasons, dependent claims 3-5, 10, 13, 19, 20, 24, and 25 are separately patentable over Schneider and Antico.

*Other Dependent Claims*

The discussion above addresses rejections of all independent claims and of several dependant claims. As regards dependent claims not specifically addressed, these claims should be patentable at least for the same reasons as their base claims and intervening claims, if any.


**CONCLUSION**

For the foregoing reasons, Applicant submits that all pending claims are allowable over the references. To discuss any matter pertaining to the instant application, the Examiner is invited to call the undersigned attorney at (858) 720-9431.

Having made an effort to bring the application in condition for allowance, a notice to this effect is earnestly solicited.

Respectfully submitted,

Dated: December 8, 2005

  
Anatoly S. Weiser, Reg. No. 43,229  
300 High Bluff Drive, Suite 300  
San Diego, CA 92130  
(858) 720-9431